

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. _____

FRIENDS OF THE EVERGLADES, INC., a
Florida 501(c)(3) not-for-profit corporation, and
CENTER FOR BIOLOGICAL DIVERSITY, a
501(c)(3) nonprofit organization,

Plaintiffs,

vs.

KRISTI NOEM, in her official capacity
as Secretary of the UNITED STATES
DEPARTMENT OF HOMELAND SECURITY;
TODD LYONS, in his official capacity as Acting
Director of the UNITED STATES
IMMIGRATION AND CUSTOMS
ENFORCEMENT; KEVIN GUTHRIE, in his
official capacity as Executive Director of the
Florida Division of Emergency Management; and
MIAMI-DADE COUNTY, a political subdivision
of the State of Florida,

Defendants.

DECLARATION OF TIERRA CURRY

I, Tierra Curry, state and declare as follows:

1. I am a resident of Somerset, Kentucky. The following facts are personally known to me and if called as a witness I could and would truthfully testify to these facts.
2. I have been a member of and biologist at the Center for Biological Diversity (Center) for 17 years.
3. The Center is a national, nonprofit organization whose mission is to secure a future for all species, great and small, hovering on the brink of extinction. The Center does this

through science, law, and creative media, with a focus on protecting the lands, waters, and climate that species need to survive.

4. I joined the Center because I wanted to fight human-caused extinction of wild animals and plants. As a Senior Scientist and Director of the Center's Endangered Species Program, I advocate for the protection of species and ecosystems. This includes identifying imperiled species in need of protection under the Endangered Species Act and reviewing the status of species and ecosystems, including, the Florida panther (*Puma concolor coryi*), Florida bonneted bat (*Eumops floridanus*), Everglade snail kite (*Rostrhamus sociabilis plumbeus*), Wood stork (*Mycteria americana*), and Eastern indigo snake (*Drymarchon couperi*).

5. Before joining the Center in 2007, I worked as an environmental educator and field biologist focused on the restoration and management of freshwater ecosystems in Oregon and Washington. I have more than 20 years of experience conducting wildlife surveys.

6. I have a Bachelor of Arts degree in English from Berea College in Berea, Kentucky, and a Master of Science degree in Biology from Portland State University. My graduate research focused on the management of freshwater habitats in relation to the reproductive success of imperiled amphibians.

7. The Center has more than 93,000 members dedicated to preserving, protecting, and restoring biodiversity of native species and ecosystems. These members have educational, scientific, moral, spiritual, and aesthetic interests in the health of the natural environment. Many of the Center's members live, work, or recreate in or near Big Cypress National Preserve (Big Cypress) and Everglades National Park.

8. Our Florida and Caribbean Program has worked for over a decade to strengthen protections for threatened and endangered species and defend wild places in the state, including

advocating to federal decisionmakers and filing lawsuits to defend sensitive areas of Big Cypress National Preserve from destructive activities like oil exploration and drilling and off-road vehicle use; reviewing and providing detailed scientific and legal comments on agency permits that would harm Florida panthers and other endangered species during National Environmental Policy Act public comment periods, and to strengthen habitat protections endangered Florida bonneted bat and advocating to protect Florida panthers conservation to be considered by the U.S. Fish & Wildlife Service (“Service”) and U.S. Army Corps of Engineers in permitting decisions.

9. The Center brings this case before the Court as part of its ongoing work to ensure that Defendants follow their legal obligations under the National Environmental Policy Act (NEPA) to undertake an assessment of the impacts to environmental quality that would result from the use of the Dade-Collier Training and Transition Airport as an immigrant detention center. This action will ensure transparency and provide the public, including the Center and its members, an opportunity to participate in the decision-making process.

10. The Center and its members will be adversely affected by Defendants’ approval, funding, construction, and operation of Dade-Collier Training and Transition Airport site as an immigrant detention center and by the Defendants’ failure to abide by their obligations under NEPA.

11. I will also personally be harmed, as I plan to visit Big Cypress National Preserve this November 2025, where I intend to enjoy the preserve’s recreational and aesthetic value provided by the wildlife viewing, hiking trails, and canoe/kayak paddling trails. The wetland wildlife and ecosystems of Florida hold a special place in my heart because they are so interesting, and of global significance in terms of unparalleled biodiversity. I first visited

Everglades National Park as a teenager and have returned several times over the years to appreciate the area's unique wildlife. I have been looking forward to visiting Big Cypress in particular for the first time later this year but now I am concerned because my opportunities to view wildlife and to observe threatened and endangered species in particular are reduced because of the impacts of this ill-planned project.

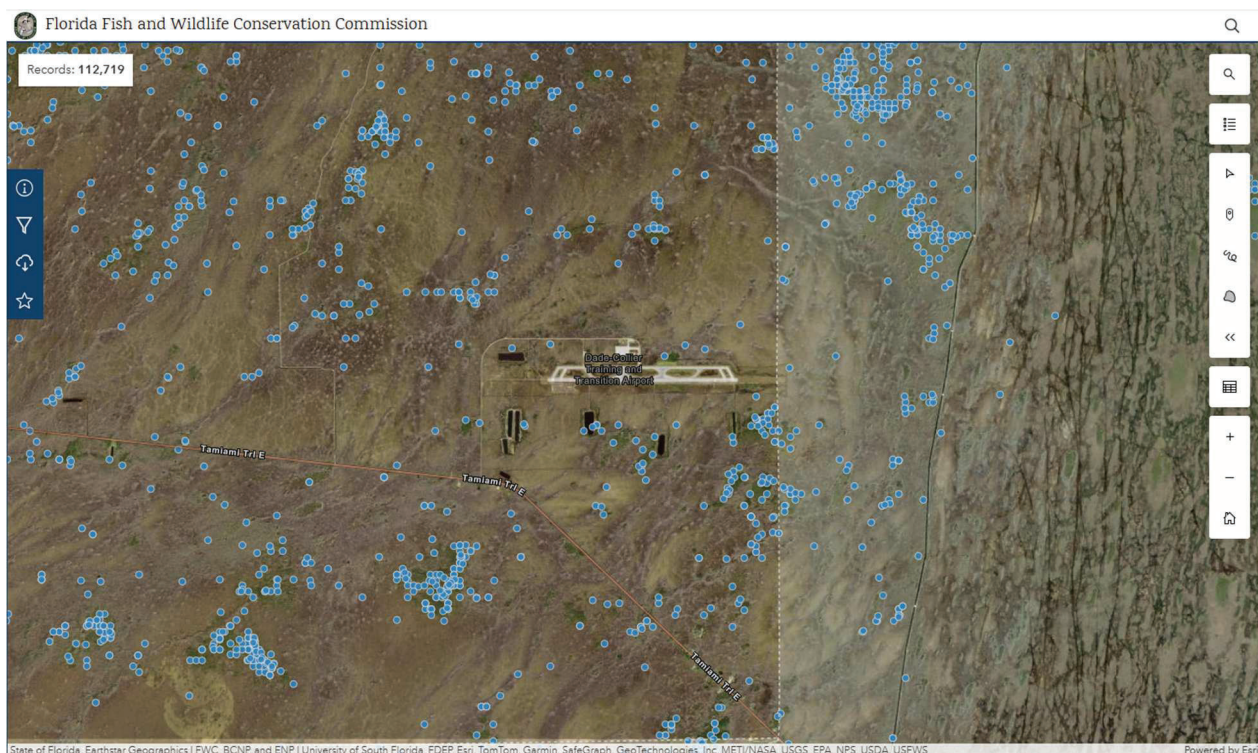
12. Without proper assessment and public notice as required by NEPA, the Center and its members are unable to provide informed comments or participate in the public comment process. Based on my understanding of the proposed detention center, the project is certain to increase vehicle traffic to the area; cause light, water, and noise pollution; and degrade wildlife habitat, all of which will negatively impact the endangered and threatened species inhabiting the area in and around Big Cypress and the Florida Everglades. The Defendants are required to undertake and publish their findings regarding such impacts. The Center and its members are entitled to an opportunity to comment on those findings.

13. Based on my understanding of the project, I anticipate the conversion of the Dade-Collier Training and Transition Airport to an immigrant detention center will have numerous negative environmental effects.¹ Among the detrimental environmental impacts of the proposed project, I anticipate that the use of the site to detain 1,000 or more people will cause light, water, and noise pollution, increased vehicular traffic, wildlife habitat degradation, and waste management issues, all of which are highly destructive to the entirety of Big Cypress and

¹ Michael Hoffman, *'Alligator Alcatraz' Approved: Florida's Everglades Immigration Detention Plan Draws Backlash*, WPTV (June 24, 2025), <https://www.wptv.com/news/state/miami-dade/alligator-alcatraz-approved-floridas-everglades-immigration-detention-plan-draws-backlash>; Bill Hutchinson, *Florida AG Proposes 'Alligator Alcatraz' Migrant Detention Center in Everglades*, ABC News (June 25, 2025), <https://abcnews.go.com/US/florida-attorney-general-proposes-alligator-alcatraz-migrant-detention/story?id=123149898>.

the Florida Everglades ecosystems.² I believe the aforementioned environmental effects will also negatively impact the survival and recovery of federally endangered and threatened species within Big Cypress and the Florida Everglades.

14. I understand that Florida panthers, a federally endangered species, have frequented the Dade-Collier Training and Transition Airport site and the surrounding area.³ The image below is a screenshot of the Florida Fish and Wildlife Conservation Commission's map of panther telemetry data around the Dade-Collier Training and Transition Airport, which shows that radio-collared panthers have used the area (the blue dots). Not all panthers are collared, so it's likely even more have traveled on and around the site.



² Ted Hesson, *Florida Plans 'Alligator Alcatraz' Migrant Detention Center*, Reuters (June 24, 2025), <https://www.reuters.com/world/us/florida-plans-alligator-alcatraz-migrant-detention-center-2025-06-24/>; Gary Fineout and Bruce Ritchie, *Florida sprints ahead with 'Alligator Alcatraz' immigration detention center project*, Politico (June 24, 2025), <https://www.politico.com/news/2025/06/24/florida-alligator-alcatraz-immigration-facility-everglades-00422203>.

³ Fish and Wildlife Conservation Commission Fish and Wildlife Research Institute, *Florida Panther Telemetry Locations* (last updated August 19, 2024), <https://geodata.myfwc.com/datasets/myfwc::florida-panther-telemetry/explore?location=25.857852%2C-80.888174%2C13.96>.

15. I expect that use of the site for a detention center will increase traffic to the site, therefore, increasing the risk of panther vehicle strikes, which is currently the leading documented cause of panther deaths annually and a serious obstacle for the panther's recovery.⁴ In addition to vehicle traffic, increased human presence and other impacts of the site's use are likely to cause avoidance amongst panthers that currently use the area as habitat.⁵ Panthers once roamed across the Southeast but are now limited to Southwest Florida. Because development continues to destroy more of their limited habitat, they depend on public lands in Big Cypress and Everglades for their survival. Activities at the site may also cause panthers to avoid the area, potentially cutting into individual panthers' home ranges and displacing them into other panthers' territories. This could increase the risk of intraspecific aggression, when panthers fight and kill one another over territory, which is the second leading cause of Florida panther mortality.⁶

16. Use of the Dade-Collier Training and Transition Airport site as an immigrant detention center also poses risks to the federally endangered Florida bonneted bat.⁷ The species has been documented in Big Cypress, and the Service has designated critical habitat for the bat within Big Cypress.⁸ The map below shows the location of the Dade-Collier Training and Transition Airport site in relation to Florida bonneted bat critical habitat.

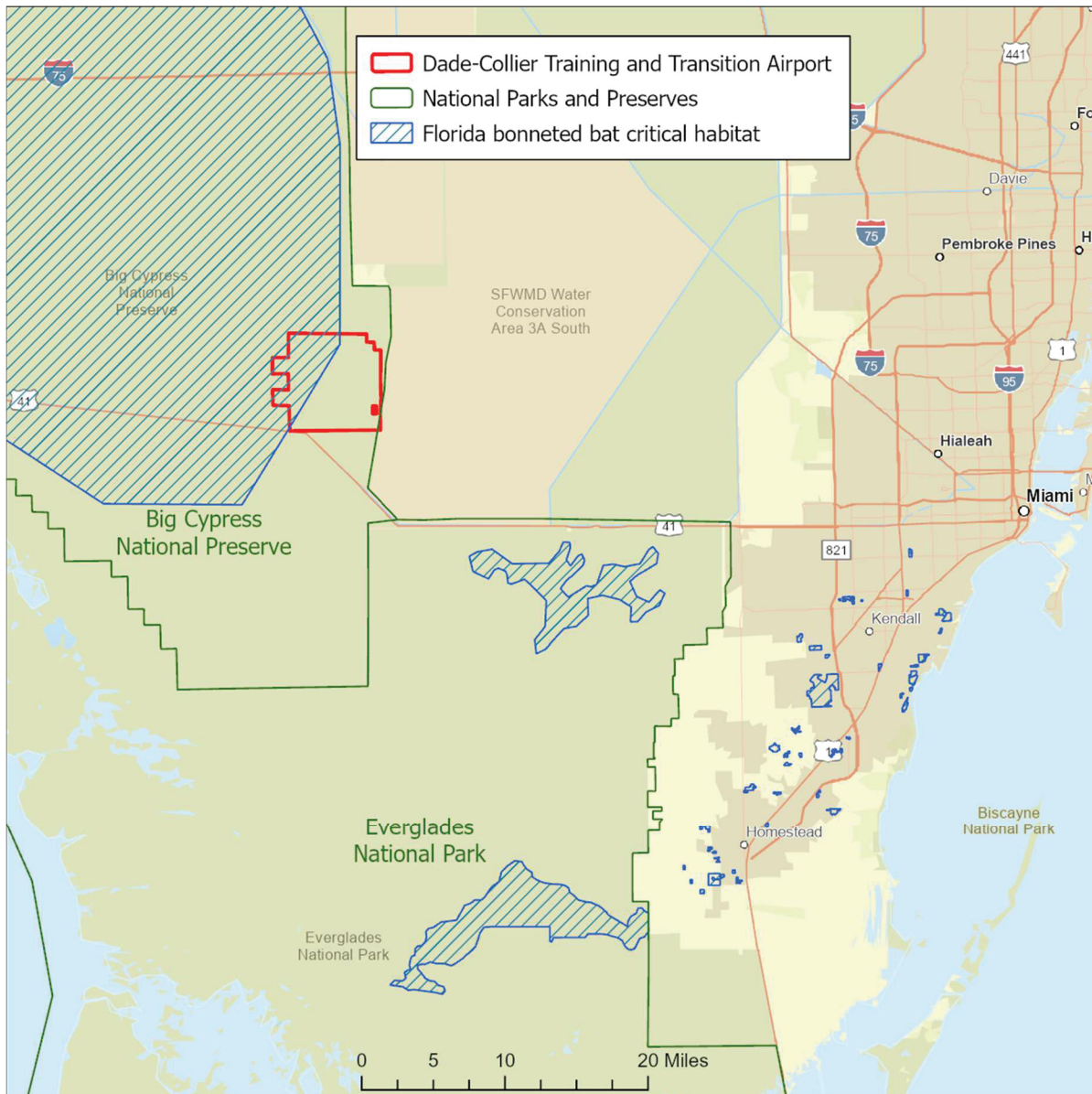
⁴ U.S. Fish & Wildlife Serv., *Species Profile: Florida Panther*, Environmental Conservation Online System (ECOS) (accessed June 26, 2025), <https://ecos.fws.gov/ecp/species/1763>.

⁵ Florida Fish & Wildlife Conservation Comm'n, *Panther Biology* (accessed June 26, 2025), <https://myfwc.com/wildlifehabitats/wildlife/panther/biology/>.

⁶ Florida Fish & Wildlife Conservation Comm'n, *Panther Biology* (accessed June 26, 2025), <https://myfwc.com/wildlifehabitats/wildlife/panther/biology/>.

⁷ U.S. Fish & Wildlife Serv., *Florida Bonneted Bat (Eumops floridanus)* (accessed June 26, 2025), <https://ecos.fws.gov/ecp/species/8630>.

⁸ 78 Fed. Reg. 61004, 61008, 61011 (Oct. 2, 2013) (finding that Florida bonneted bat have been documented in Big Cypress National Preserve)



17. I believe the construction and operation of the immigration detention center will threaten the integrity of the bat's habitat by using artificial lights, which could cause the bats to avoid the site and surrounding areas of habitat for feeding, breeding, and other important behaviors.⁹ The potential for use of pesticides, like mosquito spraying, could harm the bat's insect food-base.¹⁰

⁹ Designation of Critical Habitat for Endangered Florida Bonneted Bat, 89 Fed. Reg. 16624, 16642 (Mar. 7, 2024).

¹⁰ *Id.* at 16645.

18. The Everglade snail kite, which is federally endangered, also inhabits Big Cypress and relies on the health of the preserve's aquatic ecosystem for survival.¹¹ The snail kite's diet is almost exclusively comprised of freshwater apple snails, making the species more vulnerable to any pollution caused by the detention center's waste, wastewater, and runoff that would harm this critical food source and risk the survival and recovery of the species.¹²

19. I believe the proposed detention center could also harm the wood stork, a federally threatened species that lives in the Everglades and Big Cypress.¹³ As explained by the National Park Service,

“The feeding behavior of Wood Storks has evolved over many thousands of years to reflect the natural conditions of the Everglades. When the natural hydrologic cycle is upset by human-controlled water-management activities, Wood Storks fail to feed and nest successfully because a breeding pair of Wood Storks will not attempt to nest if sufficient food is not available.”¹⁴

Any impacts to the natural hydrology near the Dade-Collier Training and Transition Airport by constructing and operating the immigration detention center poses a risk to the stork's habitat and the continued recovery of the species.

20. The Eastern indigo snake, also a federally threatened species, will be impacted by the proposed project as well. The snake's habitat includes moist hammocks around cypress swamps.¹⁵ According to the Florida Fish and Wildlife Conservation Commission, the species loses 5% of its habitat in the state annually, primarily due to development and the associated

¹¹ Nat'l Park Serv., Big Cypress National Preserve Foundation Document Overview (accessed June 26, 2025), <https://www.nps.gov/bicy/learn/management/foundation-overview.htm>.

¹² U.S. Fish & Wildlife Serv., *Everglade Snail Kite (Rostrhamus sociabilis plumbeus)* (accessed June 26, 2025), <https://ecos.fws.gov/ecp/species/7713>.

¹³ Nat'l Park Serv., Big Cypress National Preserve Foundation Document Overview (accessed June 26, 2025), <https://www.nps.gov/bicy/learn/management/foundation-overview.htm>; Nat'l Park Serv., Wood Stork: Species Profile (accessed June 26, 2025), <https://www.nps.gov/ever/learn/nature/woodstork.htm>.

¹⁴ *Id.*

¹⁵ Fla. Fish and Wildlife Conserv. Comm'n, Eastern Indigo Snake (*Drymarchon couperi*) (last accessed June 26, 2025), <https://myfwc.com/wildlifehabitats/profiles/reptiles/snakes/eastern-indigo-snake/>.

habitat loss, habitat fragmentation, pollution, and vehicle strikes.¹⁶ Development of the Dade-Collier Training and Transition Airport to a detention center housing 1,000 to 5,000 detainees is certain to result in many of the aforementioned threats to the species.

21. The Defendants' failure to fulfill their obligations under NEPA for the immigration detention center at Dade-Collier Training and Transition Airport deprives the Center and its members of important environmental information to pursue their mission to prevent species extinction, as well as the opportunity to meaningfully participate in the public notice and comment process required by law. A court order requiring this review would address that harm.

22. Furthermore, an injunction preventing the irreparable environmental degradation that I believe will result from construction and operation of the immigration detention center until appropriate environmental reviews can be completed will enhance my upcoming experience at Big Cypress by protecting the opportunity to view wildlife while hiking and paddling in and around the preserve. It will also prevent degradation of federally endangered and threatened species' habitat and prevent threats to those species' survival and recovery.

I declare under penalty of perjury that the foregoing is true and correct and was executed on June 27, 2025, in Somerset, Kentucky.



Tierra
Curry

Digitally signed by Tierra Curry
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email=tcurry@biologicaldiversi
ty.org, c=US
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Tierra Curry

¹⁶ *Id.*